

Notice of Allowability

Application No.

10/631,944

Examiner

Andrew Kim

Applicant(s)

METCALFE ET AL.

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed September 19, 2007.
2. ☒ The allowed claim(s) is/are 1-3, 7, 8, 14-17 and 20-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/12/07; 5/29/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

/Xuan M. Thai/
Xuan M. Thai
SPE Art Unit 3714
TC 3700

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-3,7,8,14-17 and 20-25 are allowed.
2. The following is an examiner's statement of reasons for allowance for claims 1-3,7,8,14-17 and 20-25:

Regarding independent claim 1, the prior art lacks disclosing, teaching, or fairly suggesting providing:

A weapon simulator having a bolt providing recoil for a user in which there is:
A recoil valve positioned in a valve chamber for producing recoil, said recoil valve including a first gate, a second gate, a third gate, and a fourth gate, with a distal valve cavity defined between said first gate and said second gate, a central valve cavity defined between said second gate and said third gate, and a proximal valve cavity defined between said third gate and said fourth gate, said proximal valve cavity being connected with said regulated gas supply while said simulated weapon is not being fired, said recoil valve positioned to control the release of gas from said regulated gas supply to a piston chamber.

The prior art of record, Schumann (US 6,146,141) teaches a simulated pistol wherein a compressed air cylinder cause the pistol carriage to recoil and have compressed air stored in the magazine which can be detached from the housing but does not disclose a recoil valve with four gates and three cavities, wherein the proximal cavity is connected to the gas supply when not being fired. Schumann also does not

teach wherein the described recoil valve controls the release of gas from a regulated gas supply to a piston chamber.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/631,944

Page 4

Art Unit: 3714

A.K. 10/1/2007

A handwritten signature in black ink, appearing to read 'X. Thai', with a large, stylized loop at the end.

XUAN M. THAI
SUPERVISORY PATENT EXAMINER

TC 3700